



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8
999 18TH STREET - SUITE 300
DENVER, CO 80202-2466
Phone 800-227-8917
<http://www.epa.gov/region08>

APR 26 2004

**PUBLIC
DOCUMENT**

Ref: ENF - RC

Doug Benevento, Executive Director
Colorado Dept. of Public Health & Environment
4300 Cherry Creek Drive South
Denver, CO 80246 - 1530

**Re: Notice Pursuant to Section 122(j) of the Comprehensive Environmental Response,
Compensation, and Liability Act: Participation in Negotiations Regarding the
Vasquez Boulevard/Interstate -70; OU 1**

Dear Mr. Benevento:

The U.S. Environmental Protection Agency (EPA) hereby notifies the State of Colorado, Colorado Dept. of Public Health & Environment, as a State Natural Resource Trustee, in accordance with Section 122(j) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9622(j), of pending settlement negotiations concerning the Vasquez Boulevard/ Interstate -70; Operable Unit 1 (VB/70; OU1).

The VB/ 70 Site, OU1 includes the residential soils contaminated with heavy metals, including, but not limited to, arsenic and lead, in and around the north Denver area. The description of this site was published in the Federal Register on January 19, 1999. EPA is currently remediating contaminated residential properties. The action level of the residential clean-ups is 70 ppm arsenic and 400 ppm lead. In addition, a program of on-going soil sampling will be implemented



**Notice to State Natural Trustees Pursuant to Section 122(j) of CERCLA: Participation in Negotiations
Regarding the Vasquez Boulevard/Interstate -70; OU 1**

for lead and arsenic at all residential properties within the Site that have not already been adequately tested.

The EPA is currently negotiating a Remedial Design/Remedial Action (RD/RA) settlement for OU1 of the VB/70 site. We encourage your continued participation as the State Natural Resource Trustee in these negotiations. EPA will ensure the reservation of Natural Resource Damage claims pending any other decision by the State Natural Resource Trustee.

Please contact my staff person, Dawn Tesorero, Enforcement Specialist at 303/312/6883 to engage in these negotiations.

Sincerely,

A handwritten signature in cursive script, reading "Sharon L. Kercher".

Sharon L. Kercher, Director
Technical Enforcement Program

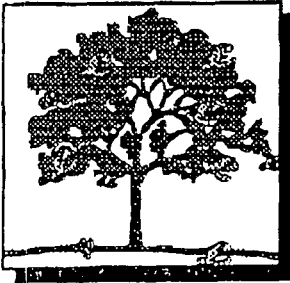
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Fax Transmittal Cover Sheet

TO Doug Benevento Executive Director

Agency / Company Colo. Dept. of Public Health & Environment

City Denver State CO

Fax Number 303-691-7702

Phone Number 3

Number of Pages 3

From Dawn Tesorero

Phone Number 303-312-6883

COMMENTS-----

FAX NUMBER: 303.312.6409

Date 4/26/04 /Time-----/Sender-----

